

ORIGINAL

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTH DISTRICT OF GEORGIA
ATLANTA DIVISION

JAN 30 2008

JAMES N. HATTEN, CLERK
By: *J. N. Hatten*
Deputy Clerk

TRIDIA CORPORATION
a Georgia Corporation,

Plaintiff,

1 08 - CV - 0335
Civil Action No. _____

v.

Demand for Jury Trial

LogMeIn, Inc.
a Delaware Corporation,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff Tridia Corporation, by and through the undersigned attorneys, hereby files this Complaint requesting damages and injunctive relief.

INTRODUCTION

1. This is an action for infringement of United States Patent Number RE 38,598 (the "598 Patent"). The technologies at issue are on-demand remote control computer software applications.

PARTIES

2. Plaintiff Tridia Corporation (“Tridia”) is a Georgia corporation, with a principal place of business at 1000 Cobb Place Blvd. NW Suite 220, Kennesaw, GA 30144-3684. Tridia designs, manufactures, markets and sells, among other things, multi-platform connectivity software solutions, which enable companies to remotely access, manage, support and share computer applications in the UNIX/Linux, Windows, and Windows Mobile environments. Tridia is the assignee of United States Patent RE 38,598, which concerns a system and method for remotely controlling an application program over a network.

3. Defendant LogMeIn, Inc. (“LogMeIn”) is, upon information and belief, a Delaware corporation with a principal place of business at 500 Unicorn Park Drive, Woburn, MA 01801. LogMeIn is engaged in providing on demand web-based software.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a). This court has personal jurisdiction over LogMeIn.

5. Venue is proper in this Court under 28 U.S.C. §§ 1391(b) and (c) and 1400(b) because LogMeIn does business in this judicial district including providing on demand web-based software to Georgia residents.

FACTS

6. Tridia is a privately held company based in Atlanta, Georgia and has been active in the software business since 1987.

7. Tridia has made significant investment in research and development in software technology. Tridia's efforts and investment have resulted in innovative advancements in the area of on-demand remote control software technology. This technology is the subject of patents issued to Tridia by the United States Patent and Trademark Office, such as, for example, U.S. Patent No. RE 38,598.

8. Tridia is the sole owner of all right, title and interest in and to the inventions claimed in the '598 patent, entitled "METHOD AND SYSTEM FOR ON DEMAND DOWNLOADING OF MODULE TO ENABLE REMOTE CONTROL OF AN APPLICATION PROGRAM OVER A NETWORK," which duly and legally issued on June 1, 1999 and reissued on September 21, 2004. A copy of the '598 patent is attached as Exhibit 1.

9. The inventors listed on the '598 patent are Tridia employees Vincent Frese, II, W. Brian Blevins, and John P. Jarrett.

10. LogMeIn is infringing and has infringed and contributed to and induced infringement of the '598 patent by making, using, offering to sell, and selling software with on-demand remote control capabilities, including without limitation LogMeIn Rescue, LogMeIn Rescue + Mobile, LogMeIn Pro, Network Console, LogMeIn IT Reach, and RemotelyAnywhere (hereinafter "the accused products"). Such systems infringe the '598 patent.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. RE38,598

11. Tridia incorporates and realleges paragraphs 1 – 10 as if fully set forth herein.

12. LogMeIn is directly infringing, contributing to the infringement of, or inducing others to infringe the '598 patent by making, using, offering to sell, or selling the accused products in the United States.

13. LogMeIn has profited through infringement of the '598 patent. As a result of LogMeIn's unlawful infringement of the '598 patent, Tridia has suffered and unless enjoined by the Court will continue to suffer grievous damage and irreparable harm.

14. LogMeIn's acts of infringement herein have been made with full knowledge of Tridia's rights in and to the '598 patent. Such acts constitute willful infringement, entitling Tridia to enhanced damages and reasonable attorneys' fees.

15. Upon information and belief, LogMeIn intends to continue its unlawful infringing activity unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Tridia prays that this Court enter judgment:

1. That LogMeIn has infringed United States Patent No. RE 38,598;
2. That LogMeIn's infringement is willful;
3. That this is an exceptional case;
4. Permanently enjoining and restraining LogMeIn and its agents, servants, employees, affiliates, divisions, branches, subsidiaries, parents, and all others acting in concert or participating with it from directly or indirectly infringing United States Patent No. RE 38,598;
5. Awarding Tridia actual damages, not less than a reasonable royalty, for LogMeIn's infringement including cost and pre- and post-judgment interest as allowed by law;
6. Awarding Tridia treble damages;

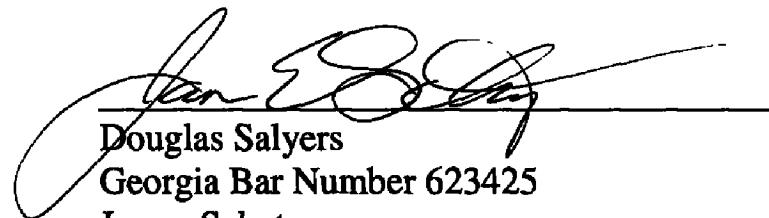
7. Awarding Tridia all costs of this action, including reasonable attorneys' fees and interest; and
8. Granting Tridia such other and further relief as the Court may deem just and equitable.

JURY DEMAND

Tridia demands a trial by jury of all issues triable as of right by a jury in this action.

Respectfully submitted this 30th day of January 2008.

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